



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Mark J. Weiser

Serial No.: 09/773,756

Filed: February 1, 2001

For: **ANIMAL SCENT BASED REPELLANT AND  
ATTRACTANT COMPOSITIONS**

Group Art Unit: 1651

Examiner: Susan Coe


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MAR 13 2003

**OFFICE OF PETITIONS**

**RESPONSE TO OFFICE ACTION**

Assistant Commissioner for Patents  
Attention: Office of Petitions  
Box DAC  
Washington, D.C. 20231

I, Philip E. Levy, hereby certify that this correspondence and all documents indicated as being provided therewith are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Attention: Office of Petitions, Box DAC, Washington D.C. 20231 on:	
3/6/03	_____
Date of Deposit	_____
	_____
Signature	_____

Sir:

In the Office Action mailed on June 20, 2001, the Examiner required restriction between Group I, claims 1-9, and Group II, claim 10, and an election of species. The Examiner indicated that all claims were generic. In a response mailed on July 17, 2001, Applicant elected Group I, but inadvertently did not elect a species. A notice mailed on

August 6, 2001, indicated that the July 17, 2001, response was not fully responsive because no election of species was made.

Applicant submits herewith an Amendment which cancels claims 1-10 and adds new claims 11-29. New claims 11-29 are similar to the Group I claims in that they recite on animal scent based composition rather than a method similar to the Group II claims. Thus, Applicant respectfully submits that new claims 11-29 are consistent with the prior election of the Group I claims. Furthermore, to the extent that the Examiner believes that an election of species as set forth in the June 20, 2001, Office Action is required, Applicant provisionally elects for prosecution Species A): calcium carbonate, Species B): animal urine.

No extension of time is believed to be necessary for consideration of this Response. In the event that an extension is deemed to be necessary, Applicant hereby petitions for such an extension. The Commissioner is authorized to charge any additional fees which may be required by this paper, or credit any overpayment to Deposit Account No. 50-0525. **A DUPLICATE COPY OF THIS SHEET IS ENCLOSED.**

In the event that a telephone conference would facilitate examination of this application in any way, the Examiner is invited to contact the undersigned at the number provided.

Respectfully submitted,  
METZ LEWIS LLC

By: 

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